

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Communications Assistance for)	ET Docket No. 04-295
Law Enforcement Act and)	
Broadband Access and Services)	RM-10865

Comments of the European Telecommunications Standards Institute

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SUMMARY

The FCC in Section C of the Notice of Proposed Rulemaking deals with a carrier's obligations and compliance solutions as they relate to broadband access and VoIP services. Subsection 3 focuses on compliance solutions based on "safe harbor" standards. Paragraph 80 deals specifically with standards bodies.

80. As an initial matter, we invite comment as to whether there is any need to define what constitutes publicly available technical requirements or standards adopted by an industry association or standard-setting organization. It appears that any group or organization could publish a set of technical requirements or standards and claim it to be a "safe harbor." Should we interpret the above terms to mean only standards developed by organizations recognized by the American National Standards Institute ("ANSI")? Should these terms also cover technical specifications that are developed and published by other types of industry organizations, such as CableLabs®, which is a consortium of cable TV system operators? Should we also recognize standards developed by non-U.S. standards organizations, such as the European Telecommunications Standards Institute?

The European Telecommunications Standards Institute – ETSI – does not normally comment or intervene in national policy making proceedings. However, the FCC's explicit reference to ETSI in the instant proceeding, as well as the implication posed as to the status of its standards as well as global LI solutions, makes our responsive comments appropriate on the global standards recognition issue raised.

As a principal global developer and publisher of publicly available technical standards for law enforcement assistance capability requirements – including standards relevant to this proceeding – ETSI invites the FCC to consider the significant value of common global standards in providing real-time communications assistance to law enforcement authorities. ETSI also notes the difficulties in attempting to define "non-U.S. standards organizations,"

Background to ETSI

1. Although ETSI is officially recognized by the European Union and the European Free Trade Association, ETSI is an independent, not for-profit organization to produce telecommunications standards needed by the market for today and for the future.

2. Based in Sophia Antipolis in the south of France, ETSI unites nearly 700 Members from five continents, and brings together manufacturers, network operators, service providers, administrations, regulators, research bodies and users – providing a forum in which all the key players and stakeholders can contribute.

3. Since first defining the Global System for Mobile communication (GSMTM), ETSI has led the way in mobile telecommunications and now plays a major role at the international level in the Third Generation Partnership Project (3GPPTM).

4. Because of ETSI's broad, global role in telecommunications and ICT standards development, it became a principal international standards setting organization in the 1990s for the development and adoption of publicly available technical standards to meet the law enforcement assistance capability requirements similar to CALEA that exist in most countries.

5. To date, ETSI has published around a dozen LI standards, technical specifications, engineering guides, and technical reports that serve as the basis for the design of most of the implementations of telecommunication, IP-Network, and law enforcement assistance capability requirements worldwide.

CONCLUSION

ETSI would be pleased to provide a comprehensive submission / proposal on how the development of truly global standards on LI could proceed.